

“This double standard is unacceptable,” Costa said. “The Valley is suffering under misguided regulations and flawed science that protect salmon and hurt our farmers, workers, and communities. Now it appears that the agency is not even protecting the fish.”

“This is unacceptable and yet another example of farmers bearing the burden of improving the fisheries while actions by interests elsewhere in the state are not taken into account. It is time that all actions that may be harming the fisheries are placed on an equal playing field,” said Cardoza.

Said Radanovich, “It is absurd that while Valley agriculture is suffering under the most extreme pumping restrictions to protect the salmon, the Department of Commerce has deemed it acceptable to allow the sport fishermen to catch these same protected salmon. It is time to hold the Agency’s feet to the fire and demand that they put a stop to the injustice of this double standard.”

On Monday, March 29th, the operators of the federal CVP Jones Pumping Plant received orders from the Bureau of Reclamation to reduce pumping to the plant’s most minimum level. This low level of pumping is required by the 2009 National Marine Fisheries Service Biological Opinion to protect juvenile salmon. Just three days after this restriction begins, sport fishermen up and down the California coast will be allowed to take an undetermined number of salmon through at least the month of April.

In a two-page letter (below) to Secretary Locke, the San Joaquin Valley Congressmen demanded an explanation for the salmon fishing regulations and raised multiple questions about the issue.

Last year, Congressmen Costa and Cardoza partnered in passing legislation calling for a study from the National Academy of Sciences that would review two biological opinions that are guiding the state’s water system. Costa and Cardoza have both maintained that other stressors – such as pollution and invasive species– must also be considered as having an impact on Delta smelt and salmon.

That study is currently underway. However, an initial review announced in mid-March confirmed that in fact other stressors could be affecting the health of the Sacramento-San Joaquin Delta.

#

The letter to Secretary Locke reads as follows:

March 30, 2010

The Honorable Gary Locke
Secretary of Commerce
U.S. Department of Commerce

1401 Constitution Ave., NW
Washington, DC 20230

RE: Harvest of Federally Listed Salmon

Dear Secretary Locke:

We are writing on a matter of great concern and urgency. Yesterday, the operators of the federal Central Valley Project Jones Pumping Plant received orders from the Bureau of Reclamation to reduce pumping to the plant's most minimum level. This unprecedented low level of pumping is required by the 2009 National Marine Fisheries Biological Opinion, ostensibly for the protection of juvenile salmon. This plant and its sister State Water Project Banks Pumping Plant will operate at bare minimum levels for the next 60 days, disrupting water supplies to more than 25 million Californians, thousands of farmers and a multitude of small rural communities that drive production in four of five of the Nation's top agricultural counties, and over a hundred thousand acres of managed wetlands that are an essential part of the Pacific Flyway. Sadly, this order is not news. What we are confounded by, however, is that just three days after this unprecedented restriction will begin, sport fishermen up and down the California coast will be allowed to take an undetermined number of salmon through at least the month of April.

Moreover, the Pacific Fishery Management Council and California Fish and Game Commission are currently considering alternatives to extend the period of take beyond April and to expand the scope of take to include the commercial harvest of these federally protected fish. As representatives of communities being disproportionately impacted by NOAA's current efforts to protect salmon, we are dismayed to witness the agency impose such severe restrictions on one hand and allow for an undetermined level of salmon take on the other. With this in mind, we would request that your agency provide us with responses to the following:

- What federal authorization(s) are being relied upon to allow for this take of listed salmon?
- Have you approved catch quotas and landing limits for the 2010 season? If so, what information did you rely upon to establish these limits?
 - How did you determine that the anticipated level of take is not likely to jeopardize the continued existence of the species?
 - We are aware of old biological opinions of the harvest of Sacramento winter and Central Valley spring run salmon; have you made a determination that these documents are still relevant to today's conditions?
 - What is the relative impact of the level of take by the Central Valley and State Water Projects as compared to the level of take by sport and commercial harvest, respectively?
 - What actions have been undertaken to ensure that this decision will not impact the Projects?
- What other potential impacts of this discretionary action have been identified?
- What mitigation has been considered and who will pay the costs?

Your agency has imposed stringent limitations upon the state and federal water projects for the protection of salmon. These limitations are having severe and disproportionate

impacts upon the people we serve. We are gravely concerned that your actions to allow for the discretionary take of listed salmon will prolong the imposition and magnitude of pumping restrictions that have resulted in so much economic and social turmoil. We request your timely response to these questions before any 2010 salmon harvest is allowed to occur.

Sincerely,

Jim Costa

Dennis Cardoza

George Radanovich